

REMARKS

Claims 1-16 are pending in the above-identified application. By this Amendment, Applicants have amended claims 1-5 and 12-15, the paragraph beginning on page 2, line 5 to line 13, and the Abstract. The amendments to the claims and specification are supported by the application as originally filed, and do not introduce new matter.

Particularly, claims 1, 14, and 15 have been amended to better describe the relationship between the workstation and host server, and to refer to an application interface that provides access to a plurality of finance-related software applications including a real-time market data application and a financial planning application. Claim 1 has been amended to include a real time monitoring system for monitoring investor mediated transactions, which collectively with the finance-related software applications, enable a user to provide timely proactive financial advice to investors. Support for the amendments may be found at page 16, lines 27-30, which discloses an embodiment of the present invention including “two preferred finance-related applications … compris[ing] a real-time market data application and a financial planning application”, at page 16, lines 1-3, which discloses an investor monitoring system, and at page 6, lines 11-13, which discloses “the invention affords users the ability to offer timely, proactive financial advice based real-time financial data and a myriad of finance-related applications.”

Claim 2 has been amended to remove references to a real-time market data application, a financial planning application, and claims 2 and 12 have been amended to remove the reference with regard to the application being “selected from a group comprising.” Claims 3 and 12 has been amended to recite the functionality of the investor monitoring system, in accordance with one embodiment of the invention, which monitors investor accounts and transmits communications to the user of the system regarding at least one investor-mediated transaction. Support for the amendments may be found at page 16, lines 5-10, which discloses “real-time communication regarding investor-mediated transactions.”

Claims 4 and 5 have been amended to refer to particular types of real-time market data that may be provided by the system. Support for the amendments may be found at page 16, lines 27-31, which discloses “real-time access to quotes ..., news, and historical ... and intraday charting”, and at page 17, lines 8-9, which discloses “market information such as proprietary valuation of instrument rating.”

Amendments to the specification have been made in response to the Examiners objections. The details with regard to the amendments to the specification are discussed below in the response to the objections to the specification.

Accordingly, entry of the amendments to claims 1-5 and 12-15 and the specification are respectfully requested.

Objection to the Specification

At paragraph 1 of the Office Action, the Examiner objected to the language of the Abstract insofar as the abstract contains the word comprising. In response, Applicants have amended the Abstract accordingly to remove the word “comprising” therefrom as shown in the replacement Abstract appended hereto. At paragraph 2 of the Office Action, the Examiner further objected to the hyperlink appearing on page 2 of the specification. In response, Applicants have amended the paragraph beginning on page 2, line 5 to line 13, which contains therein the hyperlink, to remove the hyperlink and replace the hyperlink with a general reference to the particular providers website. Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

Claim Rejections – 35 U.S.C. § 112

At paragraph 3 of the Office Action, the Examiner rejected claims 2, 5, and 13 under 35 U.S.C. § 112, second paragraph, as being indefinite for reciting the word “comprising”. Applicants have amended claims 2, 5, and 13 to remove the word “comprising” therefrom and replace it with the word “consisting” where appropriate, which renders claims 2, 5, and 13 finite. Accordingly, reconsideration and withdrawal of the rejections with regard to claims 2, 5, and 13 in this respect are respectfully requested.

Claim Rejections – 35 U.S.C. § 102 and §103

At paragraphs 4 of the Office Action, the Examiner rejected claims 1, 3-6, and 9-12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,710,889 (Clark et al.) and rejected claims 2, 7-8, and 13 under 35 U.S.C. § 103(a) as being unpatentable over Clark et al. in view of U.S. Patent Nos. 5,918,217 (Maggioncalda et al.), 5,806,049 (Petruzzi), and 5,132,899 (Fox). The Applicant respectfully traverses the rejections, and assert that the claims pending in the present application, i.e., claims 1-15, of the present application are

patentable over Clark et al., Maggioncalda et al., Petruzzi, and Fox for at least the reasons stated below.

Clark et al. relates to an interface that integrates a plurality of global financial services for clients. See col. 1, lines 24-27. The integrated interface provides clients access to a number of business applications with regard to the client's accounts, such as "cash management, securities, trade, messages, to the bank, investment portfolio, report viewer, report designer, communications manager, message retrieval, access control, day end, libraries, scheduler, and export manager. See col. 3, line 29-35; col. 19, lines 12-13. The business applications generally allow the user to perform certain types of banking transactions on a global scale, such as transfer cash, trade securities, generate reports, etc. See col. 7, lines 30-33, see generally col. 19, line 15 - Col. 26, line 25 (discussing the various features provided by the bank application.). Clark et al do not disclose, among other things, a real-time market data application and an investor monitoring system.

Maggioncalda et al. discuss an interactive user interface that allows individual investors to input data related to investment goals, such as risk, level of savings, and retirement age, computes a forecast for achieving the investment goals, and recommends investment products to achieve the investment goals. See col. 8, lines 10-14; Fig. 4. Maggiocalda et al. do not disclose a real time market data application and do not provide, among other things, for any investor mediated transactions.

Petruzzi discusses a data processing system, which computes an optimal asset allocation for individual portfolios. See col. 1, lines 49-53. The characteristics of the investor are input into the Petruzzi system and, based on global data with regard to a universe of investment and investor attributes, and the system recommends sales and purchases based on the global data. See col. 4, lines 20-47; col. 7, lines 47-49. Petruzzi does not disclose a real-time market data application, and does not provide, among other things, for investor mediated transactions.

Fox discusses an investment management system, which produces a list of stocks and a cash position that a portfolio manager can implement for his or her clients. See col. 2, lines 27-30. The portfolio manager is defined therein as an individual that receives the system output and executes buys and sales based on the system output. See col. 2, lines 21-24. The system produces the list and cash position by filtering investment performance for investment managers, SEC reports, and characteristic information for a large number of

stocks. See col. 2, lines 1-7. Fox does not disclose a real-time market data application, and does not provide, among other things, for investor mediated transactions.

In contrast, the present invention is drawn toward an integrated system that provides a user with real-time finance related information, which enables the user to provide proactive and timely advice to investors. Particularly, independent claim 1 as amended, and claims 2-11 dependent thereon, and independent claim 14 feature an integrated system for providing financial services that includes, among other things, at least one host server communicatively connected to a workstation having an application interface operable thereon for accessing a plurality of finance-related software applications that includes a real-time market data application and a financial planning application, and a real-time investor monitoring system for monitoring investor mediated transactions. These features collectively enable a user, such as a financial advisor, to provide timely and, at least with respect to the investor monitoring system for monitoring investor mediated transactions aspect of the invention, proactive financial advise to investors.

Neither Clark et al., Maggioncalda et al., Petruzzi, nor Fox alone or in combination disclose or otherwise suggest such a system. None of the references cited by the examiner disclose or otherwise suggest an integrated system for providing financial services that provides users with access to a real-time market data application, a financial planning application, and a system for monitoring investor mediated transactions.

The Examiner asserts that Clark et al. provide real time market data application with reference to col. 10, lines 49, and col. 11, line 18. Applicants respectfully disagree with the Examiner. At col. 10, line 49 Clark et al. provide that customers often need immediate notice that the requested transaction has been accepted and acted upon, however, the notice is provided in the form of instant feedback for certain types of transactions that the customer requested. At col. 11, line 18 Clark et al. provide that their system provides timely access to financial services throughout the world in essentially a real time system, however, this aspect of Clark et al. is provided with regard to the messages transmitted by the user to initiate instructions to financial institutions and account information available within the system, such as account statements, confirmations, etc. See Tables 1-3 (listing types of service initiating messages.). In contrast, the real-time market data application of the present invention provides a user with real-time market data, such as quotes, news, etc., as explained at page 16, lines 27-31 of the present application, allowing users to provide timely financial

advice to investors, and not merely the user account data disclosed by Clark et al. None of the references cited by the Examiner disclose or otherwise suggest such functionality.

The Examiner further asserts that Clark et al. discloses an investor monitoring system for monitoring and participating in investor-mediated transaction on a real-time basis with reference to col. 5, lines 63-col. 6, line 16, and col. 13, lines 63-64. Applicants respectfully disagree. Col. 5, lines 63-col. 6, line 16 lists a set of supporting software for the GIDs (without a discussion of the functionality) and col. 13, lines 63-64 discusses monitoring the tasks with respect to the CPU-CPU protocol engine. Neither of the two Clark et al. citations discloses a real-time investor system for monitoring investor mediated transactions. It is explained at page 16 of the present application that the monitoring system allows a user to monitor investor mediated transactions, such as online investor transactions, in real-time, thereby enabling the user to provide proactive financial advice to investors, such as interceding and/or acting in a proactive manner. None of the references cited by the Examiner disclose or otherwise suggest such functionality.

Independent claim 12 as amended, and claims 13 dependent thereon, is further drawn toward an investor monitoring system that monitors at least one investor account and transmits to the user a communication regarding at least one investor-mediated transaction on a real-time basis. As noted above, none of the references cited by the examiner disclose or otherwise suggest a real-time investor monitoring system, including one that monitors at least one investor in accordance with claim 12.

Independent claim 15 and claim 16 dependent thereon are drawn toward a system for providing financial information that provides an application interface and an authentication system. The application interface has means for selectively running and displaying a plurality of finance-related software applications simultaneously, including a real-time market data application and a financial planning application, and means for controlling the display of the finance related software applications. The authentication system has means for determining a set of finance-related software applications that a user is entitled to selectively run and display, and means for setting user preferences for the user based on a stored user preference profile. As noted above, none of the references cited by the Examiner disclose or otherwise suggest a real-time market data application. Further, none of the references sited by the Examiner disclose or otherwise suggest means for selectively running and displaying the plurality of finance-related software applications simultaneously.

The Examiner assert that Clark et al. discloses the simultaneous aspect of the present invention with reference to col. 3, lines 7-34. Applicants respectfully disagree. At col. 3, lines 7-34, Clark et al. discuss integrating a plurality of services accessible from a single window and not simultaneously running and displaying a plurality of finance-related software applications. None of the references cited by the examiner disclose or otherwise such functionality.

The references cited by the Examiner do not suggest or provide the motivation to combine and further expand on their respective teachings to provide the functionality as claimed in the present application. Clark et al. merely provides an interface that integrates a number of global services, and Maggioncalda et al., Petruzzi, and Fox merely provide automated financial advisory systems that suggest to the user financial products based on respective assumptions. None of the references cited by the Examiner, alone or in combination, disclose a financial advisory systems that, with the information provided therewith, e.g., from the real-time market data application, the financial planning application, the real-time investor monitoring system, etc., enables a user to provide timely and proactive financial advise to investors. On the contrary, the respective systems are geared toward the current trend for automating financial services, which is contrary and teaches away from the present invention. Moreover, since the trend favors automating financial services there is no motivation to reach out beyond the teachings of the references cited by the examiner, e.g., for an investor monitoring system, in so far as there is contrary motivation for combining additional references, if any, with those currently cited by the examiner.

The dependent claims are patentable for additional reasons. While deemed unnecessary to argue these additional reasons at this time, given the arguments presented above, the Applicants reserves the right to present such arguments should it become necessary or desirable to do so.

For the above reasons, the Applicants submit that their invention as claimed is patentable over the references cited by the Examiner. Accordingly, reconsideration and allowance of pending claims 1-16 is therefore respectfully solicited.

Respectfully submitted,

  
Leslie Gladstone Restaino,  
Reg. No. 38,893  
Attorney for Applicants  
BROWN RAYSMAN MILLSTEIN  
FELDER & STEINER LLP  
163 Madison Avenue  
P.O. Box 1989  
Morristown, New Jersey 07962-1989  
Telephone No. 973-775-8930  
Facsimile No. 973-775-8901